

## FORM 26. Docketing Statement

# UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

No. 15-1146

The Trustees of Columbia University in the City of New York

v.

Symantec Corporation

## DOCKETING STATEMENT

This Docketing Statement must be completed by all counsel and filed with the court within 14 days of the date of docketing. When the United States or its officer or agency is a party, this Docketing Statement must be completed by all counsel and filed with the court within 30 days of docketing. All questions must be answered or the statement will be rejected.

Name of the party you represent The Trustees of Columbia University in the City of New York

Party is (select one) ☒ Appellant/Petitioner ☐ Cross-Appellant  
☐ Appellee/Respondent ☐ Intervenor

Tribunal appealed from and Case No. E.D. Va., 3:13-cv-00808

Date of Judgment/Order 11/4/2014 Type of Case Patent

Relief sought on appeal Reversal of stipulated judgment and claim construction orders

Relief awarded below (if damages, specify) \_\_\_\_\_

Stipulated judgment based on the Court's claim construction orders

Briefly describe the judgment/order appealed from \_\_\_\_\_

Stipulated judgment that based on the Court's Claim Construction Orders issued on October 7, 2014 and October 23, 2014, Defendant does not infringe the asserted claims of U.S. Patent Nos. 7,487,544, 7,979,907, 7,488,084, 7,913,306, 8,074,115, and 8,601,322 and that, based on the Court's rulings, claims 1 and 16 of U.S. Patent No. 7,487,544 are indefinite.

## Form 26

**FORM 26. Docketing Statement (continued)**

Nature of judgment (select one)

☐ Final Judgment, 28 USC 1295☒ Rule 54(b)☐ Interlocutory Order (specify type) \_\_\_\_\_☐ Other (explain; *see* Fed. Cir. R. 28(a)(5)) \_\_\_\_\_Name and docket number of any related cases pending before this court plus the name of the writing judge if an opinion was issued \_\_\_\_\_  
N/A

Brief statement of the issues to be raised on appeal \_\_\_\_\_

Whether the final judgment must be reversed because the District Court erred (1) in its claim construction of U.S. Patent Nos. 7,487,544, 7,979,907, 7,488,084, 7,913,306, 8,074,115, and 8,601,322 and (2) in finding claims 1 and 16 of U.S. Patent No. 7,487,544 invalid as indefinite.

Have there been discussions with other parties relating to settlement of this case?

☒ Yes ☐ No

If "yes," when were the last such discussions?

☐ Before the case was filed below?☒ During the pendency of the case below?☐ Following the judgment/order appealed from?

If "yes," were the settlement discussions mediated?

☐ Yes ☒ No

If they were mediated, by whom? \_\_\_\_\_

**FORM 26. Docketing Statement (continued)**

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

If you answered no, explain why not \_\_\_\_\_

Based on previous discussions, mediation will not be successful at the present time before the resolution of the appeal.

Provide any other information relevant to the inclusion of this case in the court's mediation program. \_\_\_\_\_

I certify that I filed an original and one copy of this Docketing Statement with the Clerk of the United States Court of Appeals for the Federal Circuit and served a copy on counsel of record, this 2nd day of December, 2014

by: Case Management/Electronic Case Filing (ECF)  
(manner of service)

<u>Gavin Snyder</u>	<u>/s/ Gavin Snyder</u>
Name of Counsel	Signature of Counsel

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FORM 30. Certificate of Service

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**CERTIFICATE OF SERVICE**

I certify that I served a copy on counsel of record on  
by:

Dec 2, 2014

- ☐ US mail  
☐ Fax  
☐ Hand  
☒ Electronic Means  
(by email or CM/ECF)

Gavin Snyder

Name of Counsel

/s/ Gavin Snyder

Signature of Counsel

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NOTE: For attorneys filing documents electronically, the name of the filer under whose log-in and password a document is submitted must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. Graphic and other electronic signatures are discouraged.